

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

GANNON INTERNATIONAL, )  
LTD., et al., )  
                        )  
Plaintiffs,         )  
                        )  
                        )  
vs.                   )      Case No. 4:04CV893 CDP  
                        )  
NATIONAL UNION FIRE )  
INSURANCE CO., et al., )  
                        )  
Defendants.         )

**MEMORANDUM AND ORDER**

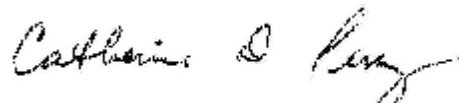
Defendants National Union Fire Insurance and Royal Surplus Lines Insurance have moved to exclude the testimony of plaintiff's designated expert, Tom Kinkaid. Plaintiff seeks an extension of time to respond to the motion. Although I will grant a limited extension, I will also set the matter for hearing. The trial date in this case is rapidly approaching, and the parties' pretrial submissions are due on October 10, 2006. I do not intend to extend any of the pretrial dates, and the trial date is a special setting.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for extension of time [#71] is granted in part, and plaintiff's deadline for responding to the motion is extended to **Monday, October 3, 2006**. Defendants need not file a reply brief but

may present any responsive arguments or authority at the hearing.

**IT IS FURTHER ORDERED** that a hearing on defendants' motion to exclude plaintiff's expert will be held on **Thursday, October 5 at 1:30 p.m. in Courtroom 14 South.** The parties may present live evidence at the hearing if they wish, but they are not required to do so. Neither party will be allowed to present supplemental evidence or argument after the hearing, as I expect to rule the motions at the time of the hearing.



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CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 27th day of September, 2006.